

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

STEPHEN LEE CZAPLA, ) CASE NO. C08-0084-RSM-MAT  
Plaintiff, )  
v. ) ORDER DISMISSING DEFENDANTS  
OFFICER KELLEY., et al., ) FROM CIVIL RIGHTS ACTION  
Defendants. )

The Court, having reviewed plaintiff's amended civil rights complaint, the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
  - (2) Plaintiff's complaint and this action are DISMISSED with prejudice as to defendant McCoy;
  - (3) Plaintiff's complaint and this action are DISMISSED without prejudice as to defendant Roufs, Conners, Vandenburg, and Raguso;
  - (4) Judge Theiler shall issue a service order directing service of plaintiff's amended

**ORDER DISMISSING DEFENDANTS  
FROM CIVIL RIGHTS ACTION**

01 complaint on defendants Kelley and Wilks so that plaintiff may pursue his  
02 excessive force claim against these two defendants; and

03 (5) The Clerk is directed to send copies of this Order to plaintiff and to the Honorable  
04 Mary Alice Theiler.

05 DATED this 2 day of June, 2008.



RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE